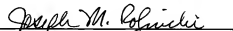


PATENT

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In re application of Kurple et al.	:	
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Serial No.: 10/803,839	:	Examiner: Silbermann, Joanne
	:	
Filed: March 18, 2004	:	Group Art Unit: 3611
	:	
For: MULTI-USE FLOOR SIGN	:	

REPLY BRIEF UNDER 37 CFR § 41.41

This reply brief responds to arguments raised for the first time in the Examiner's Answer.

In the "Response to Argument" portion of the Examiner's Answer, the argument is presented for the first time that the Ericson reference shows in Figure 4 movable panels 4 that are parallel to a first support panel 7, and that Ericson shows in Figure 3 movable panels that are parallel to a second support panel 8. Therefore, Figure 4 of the Ericson reference shows the first position of the movable panel referred to in the rejected claims, and Figure 3 of the Ericson reference shows the second position of the movable panel referred to in the rejected claims.

It is respectfully submitted that the above interpretation of the Ericson reference is made based on a desire to reject the claims, and is not based on what the Ericson reference reasonably discloses.

Each of the rejected independent claims 1, 10, 20, 30, and 36 includes among its subject matter a description of a movable panel having an upper end that engages with a runner so that the movable panel is movable along the runner between a first position where the movable panel is generally parallel to a first surface of a first support panel, and a second position where the movable panel is generally parallel to the second surface of a second support panel. The language of the independent claims is referring to the ability of the movable panels to move from one side of the sign to an opposite side of the sign as illustrated in Figures 2 and 3 of the application. It can be seen in Figures 2 and 3 that a movable panel is movable along the circular runners from a first position where the panel is generally parallel to a first surface of the first support panel, over the sign and along the runner to a second position where the movable panel is generally parallel to a second surface of the second support panel.

In referring to Figure 3 of the Ericson reference, it is submitted that what is interpreted as the movable panels 4 are sandwiched between what is interpreted as the support panels 7, 8 in the rejections of the claims. Therefore the movable panels 4 in Figure 3 are incapable of being movable from the first position to the second position as recited in the independent claims 1, 10, 20, 30 and 36. It is only in the configuration of the binder shown in Figure 4 of the Ericson reference that what is interpreted as the movable panels 4 are movable along what is interpreted as the runner 34. In the configuration shown in Figure 4, the movable panels 4, are never generally parallel to what is interpreted as the second support surface 8. The Ericson reference therefore does not identically show the subject matter of the invention recited in the rejected claims, and does not anticipate the subject matter of the claims. For this additional reason, it is respectfully submitted that claims 1-6, 10-16, 20-26, 30-34, 36-46, 48 and 49 are allowable over the Ericson reference.

Respectfully submitted,

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